

SENATE SUBSTITUTE  
FOR  
SENATE COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 1539

AN ACT

To repeal sections 21.750, 57.015, 57.201, 57.220, 57.250, 84.340, 544.216, 563.031, 571.030, 571.070, 571.101, 571.104, 571.107, 571.111, 571.117, 590.010, 590.205, and 650.350, RSMo, and to enact in lieu thereof twenty-four new sections relating to public safety, with existing penalty provisions.

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BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF MISSOURI,  
AS FOLLOWS:

1           Section A. Sections 21.750, 57.015, 57.201, 57.220, 57.250,  
2   84.340, 544.216, 563.031, 571.030, 571.070, 571.101, 571.104,  
3   571.107, 571.111, 571.117, 590.010, 590.205, and 650.350, RSMo,  
4   is repealed and twenty-four new sections enacted in lieu thereof,  
5   to be known as sections 21.750, 57.015, 57.201, 57.220, 57.250,  
6   84.340, 160.665, 544.216, 563.031, 571.012, 571.030, 571.070,  
7   571.101, 571.104, 571.107, 571.111, 571.117, 571.510, 590.010,  
8   590.200, 590.205, 590.207, 590.750, and 650.350, to read as  
9   follows:

10           21.750. 1. The general assembly hereby occupies and  
11   preempts the entire field of legislation touching in any way  
12   firearms, components, ammunition and supplies to the complete  
13   exclusion of any order, ordinance or regulation by any political  
14   subdivision of this state. Any existing or future orders,

1 ordinances or regulations in this field are hereby and shall be  
2 null and void except as provided in subsection 3 of this section.

3 2. No county, city, town, village, municipality, or other  
4 political subdivision of this state shall adopt any order,  
5 ordinance or regulation concerning in any way the sale, purchase,  
6 purchase delay, transfer, ownership, use, keeping, possession,  
7 bearing, transportation, licensing, permit, registration,  
8 taxation other than sales and compensating use taxes or other  
9 controls on firearms, components, ammunition, and supplies except  
10 as provided in subsection 3 of this section.

11 3. (1) Except as provided in subdivision (2) of this  
12 subsection, nothing contained in this section shall prohibit any  
13 ordinance of any political subdivision which conforms exactly  
14 with any of the provisions of sections 571.010 to 571.070, with  
15 appropriate penalty provisions, or which regulates the open  
16 carrying of firearms readily capable of lethal use or the  
17 discharge of firearms within a jurisdiction, provided such  
18 ordinance complies with the provisions of section 252.243. No  
19 ordinance may be construed to preclude the use of a firearm in  
20 the defense of person or property, subject to the provisions of  
21 chapter 563.

22 (2) In any jurisdiction in which the open carrying of  
23 firearms is prohibited by ordinance, the open carrying of  
24 firearms shall not be prohibited in accordance with the  
25 following:

26 (a) Any person with a valid concealed carry endorsement or  
27 permit who is open carrying a firearm shall be required to have a  
28 valid concealed carry endorsement or permit from this state, or a

1 permit from another state that is recognized by this state, in  
2 his or her possession at all times;

3 (b) Any person open carrying a firearm in such jurisdiction  
4 shall display his or her concealed carry endorsement or permit  
5 upon demand of a law enforcement officer;

6 (c) In the absence of any reasonable and articulable  
7 suspicion of criminal activity, no person carrying a concealed or  
8 unconcealed firearm shall be disarmed or physically restrained by  
9 a law enforcement officer unless under arrest; and

10 (d) Any person who violates this subdivision shall be  
11 subject to the penalty provided in section 571.121.

12 4. The lawful design, marketing, manufacture, distribution,  
13 or sale of firearms or ammunition to the public is not an  
14 abnormally dangerous activity and does not constitute a public or  
15 private nuisance.

16 5. No county, city, town, village or any other political  
17 subdivision nor the state shall bring suit or have any right to  
18 recover against any firearms or ammunition manufacturer, trade  
19 association or dealer for damages, abatement or injunctive relief  
20 resulting from or relating to the lawful design, manufacture,  
21 marketing, distribution, or sale of firearms or ammunition to the  
22 public. This subsection shall apply to any suit pending as of  
23 October 12, 2003, as well as any suit which may be brought in the  
24 future. Provided, however, that nothing in this section shall  
25 restrict the rights of individual citizens to recover for injury  
26 or death caused by the negligent or defective design or  
27 manufacture of firearms or ammunition.

28 6. Nothing in this section shall prevent the state, a

1 county, city, town, village or any other political subdivision  
2 from bringing an action against a firearms or ammunition  
3 manufacturer or dealer for breach of contract or warranty as to  
4 firearms or ammunition purchased by the state or such political  
5 subdivision.

6 57.015. [As used in this chapter] For purposes of section  
7 57.275, the following words and terms shall have the following  
8 meaning:

9 (1) "Deputy sheriff" or "officer", any deputy sheriff who  
10 is employed full time by a law enforcement agency, authorized by  
11 this chapter and certified pursuant to chapter 590. This term  
12 shall not include an officer serving in probationary status or  
13 one year, whichever is longer, upon initial employment. This  
14 term shall not include any deputy sheriff with the rank of  
15 lieutenant and above, or any chief deputies, under sheriffs and  
16 the command staff as defined by the sheriff's department policy  
17 and procedure manual;

18 (2) "Hearing", a closed meeting conducted by a hearing  
19 board appointed by the sheriff for the purpose of receiving  
20 evidence in order to determine the facts regarding the dismissal  
21 of a deputy sheriff. Witnesses to the event that triggered the  
22 dismissal may attend the hearing for the limited purpose of  
23 providing testimony; the attorney for the deputy dismissed may  
24 attend the hearing, but only to serve as an observer; the sheriff  
25 and his or her attorney may attend the hearing, but only to serve  
26 as an observer;

27 (3) "Hearing board", the individuals appointed by the  
28 sheriff for the purpose of receiving evidence in order to

1 determine the facts regarding the dismissal of a deputy sheriff;  
2 and

3 (4) "Law enforcement agency", any county sheriff's office  
4 of this state that employs county law enforcement deputies  
5 authorized by this chapter and certified by chapter 590.

6 57.201. 1. The sheriff of all counties of the first class  
7 not having a charter form of government shall appoint such  
8 deputies, assistants and other employees as he deems necessary  
9 for the proper discharge of the duties of his office and may set  
10 their compensation within the limits of the allocations made for  
11 that purpose by the county commission. The compensation for the  
12 deputies, assistants and employees shall be paid in equal  
13 installments out of the county treasury in the same manner as  
14 other county employees are paid.

15 2. The assistants and employees shall hold office at the  
16 pleasure of the sheriff.

17 3. [Deputies] A deputy sheriff, as the term "deputy  
18 sheriff" is defined under section 57.015 shall hold office  
19 pursuant to the provisions of sections 57.015 and 57.275.

20 57.220. The sheriff, in a county of the second class, shall  
21 be entitled to such a number of deputies as a majority of the  
22 circuit judges of the circuit court shall deem necessary for the  
23 prompt and proper discharge of the duties of the sheriff's  
24 office; provided, however, such number of deputies appointed by  
25 the sheriff shall not be less than one chief deputy sheriff and  
26 one additional deputy for each five thousand inhabitants of the  
27 county according to the last decennial census. Such deputies  
28 shall be appointed by the sheriff, but no appointment shall

1 become effective until approved by a majority of the circuit  
2 judges of the circuit court of the county. A majority of the  
3 circuit judges of the circuit court, by agreement with the  
4 sheriff, shall fix the salaries of such deputies. A statement of  
5 the number of deputies allowed the sheriff, and their  
6 compensation, together with the approval of any appointment by  
7 such judges of the circuit court, shall be in writing and signed  
8 by them and filed by the sheriff with the county commission.

9 **[Deputies]** A deputy sheriff as the term "deputy sheriff" is  
10 defined under section 57.015 shall hold office pursuant to the  
11 provisions of sections 57.015 and 57.275.

12 57.250. The sheriff in counties of the third and fourth  
13 classifications shall be entitled to such number of deputies and  
14 assistants, to be appointed by such official, with the approval  
15 of a majority of the circuit judges of the circuit court, as such  
16 judges shall deem necessary for the prompt and proper discharge  
17 of such sheriff's duties relative to the enforcement of the  
18 criminal law of this state. Such judges of the circuit court, in  
19 their order permitting the sheriff to appoint deputies or  
20 assistants, shall fix the compensation of such deputies or  
21 assistants. The circuit judges shall annually review their order  
22 fixing the number and compensation of the deputies and assistants  
23 and in setting such number and compensation shall have due regard  
24 for the financial condition of the county. Each such order shall  
25 be entered of record and a certified copy thereof shall be filed  
26 in the office of the county clerk at least fifteen days prior to  
27 the date of the adoption of the county budget as prescribed by  
28 section 50.610. The sheriff may at any time discharge any

1 assistant and may regulate the time of such person's employment.

2 [Deputies] A deputy sheriff as the term "deputy sheriff" is  
3 defined under section 57.015 shall hold office pursuant to the  
4 provisions of sections 57.015 and 57.275. At the request of the  
5 sheriff, the presiding judge may order additional deputies in  
6 cases where exigent or emergency circumstances require the need  
7 for such additional deputies.

8 84.340. Except as provided under section 590.750, the  
9 police commissioner of the said cities shall have power to  
10 regulate and license all private watchmen, private detectives and  
11 private policemen, serving or acting as such in said cities, and  
12 no person shall act as such private watchman, private detective  
13 or private policeman in said cities without first having obtained  
14 the written license of the president or acting president of said  
15 police commissioners of the said cities, under pain of being  
16 guilty of a misdemeanor.

17 160.665. 1. Any school district within the state may  
18 designate one or more elementary or secondary school teachers or  
19 administrators as a school protection officer. The  
20 responsibilities and duties of a school protection officer are  
21 voluntary and shall be in addition to the normal responsibilities  
22 and duties of the teacher or administrator. Any compensation for  
23 additional duties relating to service as a school protection  
24 officer shall be funded by the local school district, with no  
25 state funds used for such purpose.

26 2. Any person designated by a school district as a school  
27 protection officer shall be authorized to carry concealed  
28 firearms or a self-defense spray device in any school in the

1 district. A self-defense spray device shall mean any device that  
2 is capable of carrying, and that ejects, releases, or emits, a  
3 nonlethal solution capable of incapacitating a violent threat.  
4 The school protection officer shall not be permitted to allow any  
5 firearm or device out of his or her personal control while that  
6 firearm or device is on school property. Any school protection  
7 officer who violates this subsection may be removed immediately  
8 from the classroom and subject to employment termination  
9 proceedings.

10 3. A school protection officer has the same authority to  
11 detain or use force against any person on school property as  
12 provided to any other person under chapter 563.

13 4. Upon detention of a person under subsection 3 of this  
14 section, the school protection officer shall immediately notify a  
15 school administrator and a school resource officer, if such  
16 officer is present at the school. If the person detained is a  
17 student then the parents or guardians of the student shall also  
18 be immediately notified by a school administrator.

19 5. Any person detained by a school protection officer shall  
20 be turned over to a school administrator or law enforcement  
21 officer as soon as practically possible and shall not be detained  
22 by a school protection officer for more than one hour.

23 6. Any teacher or administrator of an elementary or  
24 secondary school who seeks to be designated as a school  
25 protection officer shall request such designation in writing, and  
26 submit it to the superintendent of the school district which  
27 employs him or her as a teacher or administrator. Along with  
28 this request, any teacher or administrator seeking to carry a

1 concealed firearm on school property shall also submit proof that  
2 he or she has a valid concealed carry endorsement or permit, and  
3 all teachers and administrators seeking the designation of school  
4 protection officer shall submit a certificate of school  
5 protection officer training program completion from a training  
6 program approved by the director of the department of public  
7 safety which demonstrates that such person has successfully  
8 completed the training requirements established by the POST  
9 commission under chapter 590 for school protection officers.

10 7. No school district may designate a teacher or  
11 administrator as a school protection officer unless such person  
12 has successfully completed a school protection officer training  
13 program, which has been approved by the director of the  
14 department of public safety. No school district shall allow a  
15 school protection officer to carry a concealed firearm on school  
16 property unless the school protection officer has a valid  
17 concealed carry endorsement or permit.

18 8. Any school district that designates a teacher or  
19 administrator as a school protection officer shall, within thirty  
20 days, notify, in writing, the director of the department of  
21 public safety of the designation, which shall include the  
22 following:

23 (1) The full name, date of birth, and address of the  
24 officer;

25 (2) The name of the school district; and

26 (3) The date such person was designated as a school  
27 protection officer.

1 Notwithstanding any other provisions of law to the contrary, any  
2 identifying information collected under the authority of this  
3 subsection shall not be considered public information and shall  
4 not be subject to a request for public records made under chapter  
5 610.

6 9. A school district may revoke the designation of a person  
7 as a school protection officer for any reason and shall  
8 immediately notify the designated school protection officer in  
9 writing of the revocation. The school district shall also,  
10 within thirty days of the revocation, notify the director of the  
11 department of public safety in writing of the revocation of the  
12 designation of such person as a school protection officer. A  
13 person who has had the designation of school protection officer  
14 revoked has no right to appeal the revocation decision.

15 10. The director of the department of public safety shall  
16 maintain a listing of all persons designated by school districts  
17 as school protection officers and shall make this list available  
18 to all law enforcement agencies.

19 11. Before a school district may designate a teacher or  
20 administrator as a school protection officer, the school board  
21 shall hold a public hearing on whether to allow such designation.  
22 Notice of the hearing shall be published at least fifteen days  
23 before the date of the hearing in a newspaper of general  
24 circulation within the city or county in which the school  
25 district is located. The board may determine at a closed meeting  
26 as "closed meeting" is defined under section 610.010 whether to  
27 authorize the designated school protection officer to carry a  
28 concealed firearm or a self-defense spray device.

1           544.216. Except as otherwise provided in section 544.157,  
2 any sheriff or deputy sheriff, any member of the Missouri state  
3 highway patrol, and any county or municipal law enforcement  
4 officer in this state, except those officers of a political  
5 subdivision or municipality having a population of less than two  
6 thousand persons or which does not have at least four full-time  
7 nonelected peace officers unless such subdivision or municipality  
8 has elected to come under and is operating pursuant to the  
9 provisions of sections 590.100 to 590.150, may arrest on view,  
10 and without a warrant, any person the officer sees violating or  
11 who such officer has reasonable grounds to believe has violated  
12 any ordinance or law of this state, including a misdemeanor or  
13 infraction, [or has violated any ordinance] over which such  
14 officer has jurisdiction. Peace officers of a municipality shall  
15 have arrest powers, as described in this section, upon lands  
16 which are leased or owned by the municipality in an  
17 unincorporated area. Ordinances enacted by a municipality,  
18 owning or leasing lands outside its boundaries, may be enforced  
19 by peace officers of the municipality upon such owned or leased  
20 lands. The power of arrest authorized by this section is in  
21 addition to all other powers conferred upon law enforcement  
22 officers, and shall not be construed so as to limit or restrict  
23 any other power of a law enforcement officer.

24           563.031. 1. A person may, subject to the provisions of  
25 subsection 2 of this section, use physical force upon another  
26 person when and to the extent he or she reasonably believes such  
27 force to be necessary to defend himself or herself or a third  
28 person from what he or she reasonably believes to be the use or

1 imminent use of unlawful force by such other person, unless:

2 (1) The actor was the initial aggressor; except that in  
3 such case his or her use of force is nevertheless justifiable  
4 provided:

5 (a) He or she has withdrawn from the encounter and  
6 effectively communicated such withdrawal to such other person but  
7 the latter persists in continuing the incident by the use or  
8 threatened use of unlawful force; or

9 (b) He or she is a law enforcement officer and as such is  
10 an aggressor [pursuant to] under section 563.046; or

11 (c) The aggressor is justified under some other provision  
12 of this chapter or other provision of law;

13 (2) Under the circumstances as the actor reasonably  
14 believes them to be, the person whom he or she seeks to protect  
15 would not be justified in using such protective force;

16 (3) The actor was attempting to commit, committing, or  
17 escaping after the commission of a forcible felony.

18 2. A person may not use deadly force upon another person  
19 under the circumstances specified in subsection 1 of this section  
20 unless:

21 (1) He or she reasonably believes that such deadly force is  
22 necessary to protect himself, or herself or her unborn child, or  
23 another against death, serious physical injury, or any forcible  
24 felony;

25 (2) Such force is used against a person who unlawfully  
26 enters, remains after unlawfully entering, or attempts to  
27 unlawfully enter a dwelling, residence, or vehicle lawfully  
28 occupied by such person; or

1           (3) Such force is used against a person who unlawfully  
2 enters, remains after unlawfully entering, or attempts to  
3 unlawfully enter private property that is owned or leased by an  
4 individual, or is occupied by an individual who has been given  
5 specific authority by the property owner to occupy the property,  
6 claiming a justification of using protective force under this  
7 section.

8           3. A person does not have a duty to retreat from a  
9 dwelling, residence, or vehicle where the person is not  
10 unlawfully entering or unlawfully remaining. A person does not  
11 have a duty to retreat from private property that is owned or  
12 leased by such individual or if the individual has been given  
13 specific authority by the property owner to occupy the property.

14           4. The justification afforded by this section extends to  
15 the use of physical restraint as protective force provided that  
16 the actor takes all reasonable measures to terminate the  
17 restraint as soon as it is reasonable to do so.

18           5. The defendant shall have the burden of injecting the  
19 issue of justification under this section. If a defendant  
20 asserts that his or her use of force is described under  
21 subdivision (2) of subsection 2 of this section, the burden shall  
22 then be on the state to prove beyond a reasonable doubt that the  
23 defendant did not reasonably believe that the use of such force  
24 was necessary to defend against what he or she reasonably  
25 believed was the use or imminent use of unlawful force.

26           571.012. 1. No health care professional licensed in this  
27 state, nor anyone under his or her supervision, shall be required  
28 by law to:

1       (1) Inquire as to whether a patient owns or has access to a  
2 firearm;

3       (2) Document or maintain in a patient's medical records  
4 whether such patient owns or has access to a firearm; or

5       (3) Notify any governmental entity of the identity of a  
6 patient based solely on the patient's status as an owner of, or  
7 the patient's access to, a firearm.

8       2. No health care professional licensed in this state, nor  
9 anyone under his or her supervision, nor any person or entity  
10 that has possession or control of medical records, may disclose  
11 information gathered in a doctor/patient relationship about the  
12 status of a patient as an owner of a firearm, unless by order of  
13 a court of appropriate jurisdiction, in response to a threat to  
14 the health or safety of that patient or another person, as part  
15 of a referral to a mental health professional, or with the  
16 patient's express consent on a separate document dealing solely  
17 with firearm ownership. The separate document shall not be  
18 filled out as a matter of routine, but only when, in the judgment  
19 of the health care professional, it is medically indicated or  
20 necessitated.

21       3. Nothing in this section shall be construed as  
22 prohibiting or otherwise restricting a health care professional  
23 from inquiring about and documenting whether a patient owns or  
24 has access to a firearm if such inquiry or documentation is  
25 necessitated or medically indicated by the health care  
26 professional's judgment and such inquiry or documentation does  
27 not violate any other state or federal law.

28       4. No health care professional licensed in this state shall

1 use an electronic medical record program that requires, in order  
2 to complete and save a medical record, entry of data regarding  
3 whether a patient owns, has access to, or lives in a home  
4 containing a firearm.

5 571.030. 1. A person commits the crime of unlawful use of  
6 weapons if he or she knowingly:

7 (1) Carries concealed upon or about his or her person a  
8 knife, a firearm, a blackjack or any other weapon readily capable  
9 of lethal use; or

10 (2) Sets a spring gun; or

11 (3) Discharges or shoots a firearm into a dwelling house, a  
12 railroad train, boat, aircraft, or motor vehicle as defined in  
13 section 302.010, or any building or structure used for the  
14 assembling of people; or

15 (4) Exhibits, in the presence of one or more persons, any  
16 weapon readily capable of lethal use in an angry or threatening  
17 manner; or

18 (5) Has a firearm or projectile weapon readily capable of  
19 lethal use on his or her person, while he or she is intoxicated,  
20 and handles or otherwise uses such firearm or projectile weapon  
21 in either a negligent or unlawful manner or discharges such  
22 firearm or projectile weapon unless acting in self-defense; or

23 (6) Discharges a firearm within one hundred yards of any  
24 occupied schoolhouse, courthouse, or church building; or

25 (7) Discharges or shoots a firearm at a mark, at any  
26 object, or at random, on, along or across a public highway or  
27 discharges or shoots a firearm into any outbuilding; or

28 (8) Carries a firearm or any other weapon readily capable

1 of lethal use into any church or place where people have  
2 assembled for worship, or into any election precinct on any  
3 election day, or into any building owned or occupied by any  
4 agency of the federal government, state government, or political  
5 subdivision thereof; or

6 (9) Discharges or shoots a firearm at or from a motor  
7 vehicle, as defined in section 301.010, discharges or shoots a  
8 firearm at any person, or at any other motor vehicle, or at any  
9 building or habitable structure, unless the person was lawfully  
10 acting in self-defense; or

11 (10) Carries a firearm, whether loaded or unloaded, or any  
12 other weapon readily capable of lethal use into any school, onto  
13 any school bus, or onto the premises of any function or activity  
14 sponsored or sanctioned by school officials or the district  
15 school board.

16 2. Subdivisions (1), (8), and (10) of subsection 1 of this  
17 section shall not apply to the persons described in this  
18 subsection, regardless of whether such uses are reasonably  
19 associated with or are necessary to the fulfillment of such  
20 person's official duties except as otherwise provided in this  
21 subsection. Subdivisions (3), (4), (6), (7), and (9) of  
22 subsection 1 of this section shall not apply to or affect any of  
23 the following persons, when such uses are reasonably associated  
24 with or are necessary to the fulfillment of such person's  
25 official duties, except as otherwise provided in this subsection:

26 (1) All state, county and municipal peace officers who have  
27 completed the training required by the police officer standards  
28 and training commission pursuant to sections 590.030 to 590.050

1 and who possess the duty and power of arrest for violation of the  
2 general criminal laws of the state or for violation of ordinances  
3 of counties or municipalities of the state, whether such officers  
4 are on or off duty, and whether such officers are within or  
5 outside of the law enforcement agency's jurisdiction, or all  
6 qualified retired peace officers, as defined in subsection 11 of  
7 this section, and who carry the identification defined in  
8 subsection 12 of this section, or any person summoned by such  
9 officers to assist in making arrests or preserving the peace  
10 while actually engaged in assisting such officer;

11 (2) Wardens, superintendents and keepers of prisons,  
12 penitentiaries, jails and other institutions for the detention of  
13 persons accused or convicted of crime;

14 (3) Members of the Armed Forces or National Guard while  
15 performing their official duty;

16 (4) Those persons vested by Article V, Section 1 of the  
17 Constitution of Missouri with the judicial power of the state and  
18 those persons vested by Article III of the Constitution of the  
19 United States with the judicial power of the United States, the  
20 members of the federal judiciary;

21 (5) Any person whose bona fide duty is to execute process,  
22 civil or criminal;

23 (6) Any federal probation officer or federal flight deck  
24 officer as defined under the federal flight deck officer program,  
25 49 U.S.C. Section 44921 regardless of whether such officers are  
26 on duty, or within the law enforcement agency's jurisdiction;

27 (7) Any state probation or parole officer, including  
28 supervisors and members of the board of probation and parole;

1 (8) Any corporate security advisor meeting the definition  
2 and fulfilling the requirements of the regulations established by  
3 the [board of police commissioners under section 84.340]  
4 department of public safety under section 590.750;

5 (9) Any coroner, deputy coroner, medical examiner, or  
6 assistant medical examiner;

7 (10) Any prosecuting attorney or assistant prosecuting  
8 attorney [or any], circuit attorney or assistant circuit  
9 attorney, or any person appointed by a court to be a special  
10 prosecutor who has completed the firearms safety training course  
11 required under subsection 2 of section 571.111;

12 (11) Any member of a fire department or fire protection  
13 district who is employed on a full-time basis as a fire  
14 investigator and who has a valid concealed carry endorsement  
15 issued prior to August 28, 2013, or a valid concealed carry  
16 permit under section 571.111 when such uses are reasonably  
17 associated with or are necessary to the fulfillment of such  
18 person's official duties; and

19 (12) Upon the written approval of the governing body of a  
20 fire department or fire protection district, any paid fire  
21 department or fire protection district chief who is employed on a  
22 full-time basis and who has a valid concealed carry endorsement  
23 issued prior to August 28, 2013, or a valid concealed carry  
24 permit, when such uses are reasonably associated with or are  
25 necessary to the fulfillment of such person's official duties.

26 3. Subdivisions (1), (5), (8), and (10) of subsection 1 of  
27 this section do not apply when the actor is transporting such  
28 weapons in a nonfunctioning state or in an unloaded state when

1 ammunition is not readily accessible or when such weapons are not  
2 readily accessible. Subdivision (1) of subsection 1 of this  
3 section does not apply to any person [twenty-one] nineteen years  
4 of age or older or eighteen years of age or older and a member of  
5 the United States Armed Forces, or honorably discharged from the  
6 United States Armed Forces, transporting a concealable firearm in  
7 the passenger compartment of a motor vehicle, so long as such  
8 concealable firearm is otherwise lawfully possessed, nor when the  
9 actor is also in possession of an exposed firearm or projectile  
10 weapon for the lawful pursuit of game, or is in his or her  
11 dwelling unit or upon premises over which the actor has  
12 possession, authority or control, or is traveling in a continuous  
13 journey peaceably through this state. Subdivision (10) of  
14 subsection 1 of this section does not apply if the firearm is  
15 otherwise lawfully possessed by a person while traversing school  
16 premises for the purposes of transporting a student to or from  
17 school, or possessed by an adult for the purposes of facilitation  
18 of a school-sanctioned firearm-related event or club event.

19 4. Subdivisions (1), (8), and (10) of subsection 1 of this  
20 section shall not apply to any person who has a valid concealed  
21 carry permit issued pursuant to sections 571.101 to 571.121, a  
22 valid concealed carry endorsement issued before August 28, 2013,  
23 or a valid permit or endorsement to carry concealed firearms  
24 issued by another state or political subdivision of another  
25 state.

26 5. Subdivisions (3), (4), (5), (6), (7), (8), (9), and (10)  
27 of subsection 1 of this section shall not apply to persons who  
28 are engaged in a lawful act of defense pursuant to section

1 563.031.

2 6. Notwithstanding any provision of this section to the  
3 contrary, the state shall not prohibit any state employee from  
4 having a firearm in the employee's vehicle on the state's  
5 property provided that the vehicle is locked and the firearm is  
6 not visible. This subsection shall only apply to the state as an  
7 employer when the state employee's vehicle is on property owned  
8 or leased by the state and the state employee is conducting  
9 activities within the scope of his or her employment. For the  
10 purposes of this subsection, "state employee" means an employee  
11 of the executive, legislative, or judicial branch of the  
12 government of the state of Missouri.

13 7. Nothing in this section shall make it unlawful for a  
14 student to actually participate in school-sanctioned gun safety  
15 courses, student military or ROTC courses, or other school-  
16 sponsored or club-sponsored firearm-related events, provided the  
17 student does not carry a firearm or other weapon readily capable  
18 of lethal use into any school, onto any school bus, or onto the  
19 premises of any other function or activity sponsored or  
20 sanctioned by school officials or the district school board.

21 8. Unlawful use of weapons is a class D felony unless  
22 committed pursuant to subdivision (6), (7), or (8) of subsection  
23 1 of this section, in which cases it is a class B misdemeanor, or  
24 subdivision (5) or (10) of subsection 1 of this section, in which  
25 case it is a class A misdemeanor if the firearm is unloaded and a  
26 class D felony if the firearm is loaded, or subdivision (9) of  
27 subsection 1 of this section, in which case it is a class B  
28 felony, except that if the violation of subdivision (9) of

1 subsection 1 of this section results in injury or death to  
2 another person, it is a class A felony.

3 9. Violations of subdivision (9) of subsection 1 of this  
4 section shall be punished as follows:

5 (1) For the first violation a person shall be sentenced to  
6 the maximum authorized term of imprisonment for a class B felony;

7 (2) For any violation by a prior offender as defined in  
8 section 558.016, a person shall be sentenced to the maximum  
9 authorized term of imprisonment for a class B felony without the  
10 possibility of parole, probation or conditional release for a  
11 term of ten years;

12 (3) For any violation by a persistent offender as defined  
13 in section 558.016, a person shall be sentenced to the maximum  
14 authorized term of imprisonment for a class B felony without the  
15 possibility of parole, probation, or conditional release;

16 (4) For any violation which results in injury or death to  
17 another person, a person shall be sentenced to an authorized  
18 disposition for a class A felony.

19 10. Any person knowingly aiding or abetting any other  
20 person in the violation of subdivision (9) of subsection 1 of  
21 this section shall be subject to the same penalty as that  
22 prescribed by this section for violations by other persons.

23 11. Notwithstanding any other provision of law, no person  
24 who pleads guilty to or is found guilty of a felony violation of  
25 subsection 1 of this section shall receive a suspended imposition  
26 of sentence if such person has previously received a suspended  
27 imposition of sentence for any other firearms- or weapons-related  
28 felony offense.

1           12. As used in this section "qualified retired peace  
2 officer" means an individual who:

3           (1) Retired in good standing from service with a public  
4 agency as a peace officer, other than for reasons of mental  
5 instability;

6           (2) Before such retirement, was authorized by law to engage  
7 in or supervise the prevention, detection, investigation, or  
8 prosecution of, or the incarceration of any person for, any  
9 violation of law, and had statutory powers of arrest;

10          (3) Before such retirement, was regularly employed as a  
11 peace officer for an aggregate of fifteen years or more, or  
12 retired from service with such agency, after completing any  
13 applicable probationary period of such service, due to a service-  
14 connected disability, as determined by such agency;

15          (4) Has a nonforfeitable right to benefits under the  
16 retirement plan of the agency if such a plan is available;

17          (5) During the most recent twelve-month period, has met, at  
18 the expense of the individual, the standards for training and  
19 qualification for active peace officers to carry firearms;

20          (6) Is not under the influence of alcohol or another  
21 intoxicating or hallucinatory drug or substance; and

22          (7) Is not prohibited by federal law from receiving a  
23 firearm.

24          13. The identification required by subdivision (1) of  
25 subsection 2 of this section is:

26          (1) A photographic identification issued by the agency from  
27 which the individual retired from service as a peace officer that  
28 indicates that the individual has, not less recently than one

1 year before the date the individual is carrying the concealed  
2 firearm, been tested or otherwise found by the agency to meet the  
3 standards established by the agency for training and  
4 qualification for active peace officers to carry a firearm of the  
5 same type as the concealed firearm; or

6 (2) A photographic identification issued by the agency from  
7 which the individual retired from service as a peace officer; and

8 (3) A certification issued by the state in which the  
9 individual resides that indicates that the individual has, not  
10 less recently than one year before the date the individual is  
11 carrying the concealed firearm, been tested or otherwise found by  
12 the state to meet the standards established by the state for  
13 training and qualification for active peace officers to carry a  
14 firearm of the same type as the concealed firearm.

15 571.070. 1. A person commits the [crime] offense of  
16 unlawful possession of a firearm if such person knowingly has any  
17 firearm in his or her possession and such person:

18 (1) [Such person] Has been convicted of a felony under the  
19 laws of this state, or of a crime under the laws of any state or  
20 of the United States which, if committed within this state, would  
21 be a felony; [or]

22 (2) [Such person] Is a fugitive from justice, is habitually  
23 in an intoxicated or drugged condition, or is currently adjudged  
24 mentally incompetent;

25 (3) Is illegally or unlawfully in the United States;

26 (4) Is subject to a full order of protection under chapter  
27 455 that:

28 (a) Restrains such person from harassing, stalking, or

1 threatening a family or household member as "family" and  
2 "household member" are defined under section 455.010, or a child  
3 of the person or family or household member, or engaging in other  
4 conduct that would place a family or household member in  
5 reasonable fear of bodily injury to the family or household  
6 member or child; and

7 (b) Includes a finding that such person represents a  
8 credible threat to the physical safety of such family or  
9 household member or child, or by its terms explicitly prohibits  
10 the use, attempted use, or threatened use of physical force  
11 against such family or household member or child that would  
12 reasonably be expected to cause bodily injury; or

13 (5) Has been convicted of a misdemeanor under the laws of  
14 this state, or under the laws of any state or of the United  
15 States, when such offense has, as an element, the use or  
16 attempted use of physical force, or the threatened use of a  
17 deadly weapon, by a family or household member of the victim.

18 2. Unlawful possession of a firearm is a class C felony.

19 3. The provisions of subdivision (1) of subsection 1 of  
20 this section shall not apply to the possession of an antique  
21 firearm.

22 571.101. 1. All applicants for concealed carry permits  
23 issued pursuant to subsection 7 of this section must satisfy the  
24 requirements of sections 571.101 to 571.121. If the said  
25 applicant can show qualification as provided by sections 571.101  
26 to 571.121, the county or city sheriff shall issue a concealed  
27 carry permit authorizing the carrying of a concealed firearm on  
28 or about the applicant's person or within a vehicle. A concealed

1 carry permit shall be valid [for a period of five years] from the  
2 date of issuance or renewal until five years from the last day of  
3 the month in which the permit was issued or renewed. The  
4 concealed carry permit is valid throughout this state. Although  
5 the permit is considered valid in the state, a person who fails  
6 to renew his or her permit within five years from the date of  
7 issuance or renewal shall not be eligible for an exception to a  
8 National Instant Criminal Background Check under federal  
9 regulations currently codified under 27 CFR 478.102(d), relating  
10 to the transfer, sale, or delivery of firearms from licensed  
11 dealers. A concealed carry endorsement issued prior to August  
12 28, 2013, shall continue [for a period of three years] from the  
13 date of issuance or renewal until three years from the last day  
14 of the month in which the endorsement was issued or renewed to  
15 authorize the carrying of a concealed firearm on or about the  
16 applicant's person or within a vehicle in the same manner as a  
17 concealed carry permit issued under subsection 7 of this section  
18 on or after August 28, 2013.

19 2. A concealed carry permit issued pursuant to subsection 7  
20 of this section shall be issued by the sheriff or his or her  
21 designee of the county or city in which the applicant resides, if  
22 the applicant:

23 (1) Is at least [twenty-one] nineteen years of age, is a  
24 citizen or permanent resident of the United States and either:

25 (a) Has assumed residency in this state; or

26 (b) Is a member of the Armed Forces stationed in Missouri,  
27 or the spouse of such member of the military;

28 (2) Is at least [twenty-one] nineteen years of age, or is

1 at least eighteen years of age and a member of the United States  
2 Armed Forces or honorably discharged from the United States Armed  
3 Forces, and is a citizen of the United States and either:

4 (a) Has assumed residency in this state;

5 (b) Is a member of the Armed Forces stationed in Missouri;

6 or

7 (c) The spouse of such member of the military stationed in  
8 Missouri and [twenty-one] nineteen years of age;

9 (3) Has not pled guilty to or entered a plea of nolo  
10 contendere or been convicted of a crime punishable by  
11 imprisonment for a term exceeding one year under the laws of any  
12 state or of the United States other than a crime classified as a  
13 misdemeanor under the laws of any state and punishable by a term  
14 of imprisonment of two years or less that does not involve an  
15 explosive weapon, firearm, firearm silencer or gas gun;

16 (4) Has not been convicted of, pled guilty to or entered a  
17 plea of nolo contendere to one or more misdemeanor offenses  
18 involving crimes of violence within a five-year period  
19 immediately preceding application for a concealed carry permit or  
20 if the applicant has not been convicted of two or more  
21 misdemeanor offenses involving driving while under the influence  
22 of intoxicating liquor or drugs or the possession or abuse of a  
23 controlled substance within a five-year period immediately  
24 preceding application for a concealed carry permit;

25 (5) Is not a fugitive from justice or currently charged in  
26 an information or indictment with the commission of a crime  
27 punishable by imprisonment for a term exceeding one year under  
28 the laws of any state of the United States other than a crime

1 classified as a misdemeanor under the laws of any state and  
2 punishable by a term of imprisonment of two years or less that  
3 does not involve an explosive weapon, firearm, firearm silencer,  
4 or gas gun;

5 (6) Has not been discharged under dishonorable conditions  
6 from the United States Armed Forces;

7 (7) Has not engaged in a pattern of behavior, documented in  
8 public or closed records, that causes the sheriff to have a  
9 reasonable belief that the applicant presents a danger to himself  
10 or others;

11 (8) Is not adjudged mentally incompetent at the time of  
12 application or for five years prior to application, or has not  
13 been committed to a mental health facility, as defined in section  
14 632.005, or a similar institution located in another state  
15 following a hearing at which the defendant was represented by  
16 counsel or a representative;

17 (9) Submits a completed application for a permit as  
18 described in subsection 3 of this section;

19 (10) Submits an affidavit attesting that the applicant  
20 complies with the concealed carry safety training requirement  
21 pursuant to subsections 1 and 2 of section 571.111;

22 (11) Is not the respondent of a valid full order of  
23 protection which is still in effect;

24 (12) Is not otherwise prohibited from possessing a firearm  
25 under section 571.070 [or 18 U.S.C. 922(g)].

26 3. The application for a concealed carry permit issued by  
27 the sheriff of the county of the applicant's residence shall  
28 contain only the following information:

1           (1) The applicant's name, address, telephone number,  
2 gender, date and place of birth, and, if the applicant is not a  
3 United States citizen, the applicant's country of citizenship and  
4 any alien or admission number issued by the Federal Bureau of  
5 Customs and Immigration Enforcement or any successor agency;

6           (2) An affirmation that the applicant has assumed residency  
7 in Missouri or is a member of the Armed Forces stationed in  
8 Missouri or the spouse of such a member of the Armed Forces and  
9 is a citizen or permanent resident of the United States;

10          (3) An affirmation that the applicant is at least  
11 ~~[twenty-one]~~ nineteen years of age or is eighteen years of age or  
12 older and a member of the United States Armed Forces or honorably  
13 discharged from the United States Armed Forces;

14          (4) An affirmation that the applicant has not pled guilty  
15 to or been convicted of a crime punishable by imprisonment for a  
16 term exceeding one year under the laws of any state or of the  
17 United States other than a crime classified as a misdemeanor  
18 under the laws of any state and punishable by a term of  
19 imprisonment of two years or less that does not involve an  
20 explosive weapon, firearm, firearm silencer, or gas gun;

21          (5) An affirmation that the applicant has not been  
22 convicted of, pled guilty to, or entered a plea of nolo  
23 contendere to one or more misdemeanor offenses involving crimes  
24 of violence within a five-year period immediately preceding  
25 application for a permit or if the applicant has not been  
26 convicted of two or more misdemeanor offenses involving driving  
27 while under the influence of intoxicating liquor or drugs or the  
28 possession or abuse of a controlled substance within a five-year

1 period immediately preceding application for a permit;

2 (6) An affirmation that the applicant is not a fugitive  
3 from justice or currently charged in an information or indictment  
4 with the commission of a crime punishable by imprisonment for a  
5 term exceeding one year under the laws of any state or of the  
6 United States other than a crime classified as a misdemeanor  
7 under the laws of any state and punishable by a term of  
8 imprisonment of two years or less that does not involve an  
9 explosive weapon, firearm, firearm silencer or gas gun;

10 (7) An affirmation that the applicant has not been  
11 discharged under dishonorable conditions from the United States  
12 Armed Forces;

13 (8) An affirmation that the applicant is not adjudged  
14 mentally incompetent at the time of application or for five years  
15 prior to application, or has not been committed to a mental  
16 health facility, as defined in section 632.005, or a similar  
17 institution located in another state, except that a person whose  
18 release or discharge from a facility in this state pursuant to  
19 chapter 632, or a similar discharge from a facility in another  
20 state, occurred more than five years ago without subsequent  
21 recommitment may apply;

22 (9) An affirmation that the applicant has received firearms  
23 safety training that meets the standards of applicant firearms  
24 safety training defined in subsection 1 or 2 of section 571.111;

25 (10) An affirmation that the applicant, to the applicant's  
26 best knowledge and belief, is not the respondent of a valid full  
27 order of protection which is still in effect;

28 (11) A conspicuous warning that false statements made by

1 the applicant will result in prosecution for perjury pursuant to  
2 the laws of the state of Missouri; and

3 (12) A government-issued photo identification. This  
4 photograph shall not be included on the permit and shall only be  
5 used to verify the person's identity for permit renewal, or for  
6 the issuance of a new permit due to change of address, or for a  
7 lost or destroyed permit.

8 4. An application for a concealed carry permit shall be  
9 made to the sheriff of the county or any city not within a county  
10 in which the applicant resides. An application shall be filed in  
11 writing, signed under oath and under the penalties of perjury,  
12 and shall state whether the applicant complies with each of the  
13 requirements specified in subsection 2 of this section. In  
14 addition to the completed application, the applicant for a  
15 concealed carry permit must also submit the following:

16 (1) A photocopy of a firearms safety training certificate  
17 of completion or other evidence of completion of a firearms  
18 safety training course that meets the standards established in  
19 subsection 1 or 2 of section 571.111; and

20 (2) A nonrefundable permit fee as provided by subsection 11  
21 or 12 of this section. Both fees provided for in these  
22 subsections shall be waived for service-disabled veterans as such  
23 term is defined in section 34.074.

24 5. (1) Before an application for a concealed carry permit  
25 is approved, the sheriff shall make only such inquiries as he or  
26 she deems necessary into the accuracy of the statements made in  
27 the application. The sheriff may require that the applicant  
28 display a Missouri driver's license or nondriver's license or

1 military identification and orders showing the person being  
2 stationed in Missouri. In order to determine the applicant's  
3 suitability for a concealed carry permit, the applicant shall be  
4 fingerprinted. No other biometric data shall be collected from  
5 the applicant. The sheriff shall [request a criminal background  
6 check, including] conduct an inquiry of the National Instant  
7 Criminal Background Check System[, through the appropriate law  
8 enforcement agency] within three working days after submission of  
9 the properly completed application for a concealed carry permit.  
10 If no disqualifying record is identified by these checks at the  
11 state level, the fingerprints shall be forwarded to the Federal  
12 Bureau of Investigation for a national criminal history record  
13 check. Upon receipt of the completed [background checks,] report  
14 from the National Instant Criminal Background Check System and  
15 the response from the Federal Bureau of Investigation national  
16 criminal history record check, the sheriff shall examine the  
17 results and, if no disqualifying information is identified, shall  
18 issue a concealed carry permit within three working days.

19 (2) In the event the [background checks] report from the  
20 National Instant Criminal Background Check System and the  
21 response from the Federal Bureau of Investigation national  
22 criminal history record check prescribed by subdivision (1) of  
23 this subsection are not completed within forty-five calendar days  
24 and no disqualifying information concerning the applicant has  
25 otherwise come to the sheriff's attention, the sheriff shall  
26 issue a provisional permit, clearly designated on the certificate  
27 as such, which the applicant shall sign in the presence of the  
28 sheriff or the sheriff's designee. This permit, when carried

1 with a valid Missouri driver's or nondriver's license or a valid  
2 military identification, shall permit the applicant to exercise  
3 the same rights in accordance with the same conditions as pertain  
4 to a concealed carry permit issued under this section, provided  
5 that it shall not serve as an alternative to an national instant  
6 criminal background check required by 18 U.S.C. 922(t). The  
7 provisional permit shall remain valid until such time as the  
8 sheriff either issues or denies the certificate of qualification  
9 under subsection 6 or 7 of this section. The sheriff shall  
10 revoke a provisional permit issued under this subsection within  
11 twenty-four hours of receipt of any **[background check]** report  
12 that identifies a disqualifying record, and shall notify the  
13 **[Missouri uniform law enforcement]** concealed carry permit system  
14 established under subsection 5 of section 650.350. The  
15 revocation of a provisional permit issued under this section  
16 shall be proscribed in a manner consistent to the denial and  
17 review of an application under subsection 6 of this section.

18 6. The sheriff may refuse to approve an application for a  
19 concealed carry permit if he or she determines that any of the  
20 requirements specified in subsection 2 of this section have not  
21 been met, or if he or she has a substantial and demonstrable  
22 reason to believe that the applicant has rendered a false  
23 statement regarding any of the provisions of sections 571.101 to  
24 571.121. If the applicant is found to be ineligible, the sheriff  
25 is required to deny the application, and notify the applicant in  
26 writing, stating the grounds for denial and informing the  
27 applicant of the right to submit, within thirty days, any  
28 additional documentation relating to the grounds of the denial.

1 Upon receiving any additional documentation, the sheriff shall  
2 reconsider his or her decision and inform the applicant within  
3 thirty days of the result of the reconsideration. The applicant  
4 shall further be informed in writing of the right to appeal the  
5 denial pursuant to subsections 2, 3, 4, and 5 of section 571.114.  
6 After two additional reviews and denials by the sheriff, the  
7 person submitting the application shall appeal the denial  
8 pursuant to subsections 2, 3, 4, and 5 of section 571.114.

9 7. If the application is approved, the sheriff shall issue  
10 a concealed carry permit to the applicant within a period not to  
11 exceed three working days after his or her approval of the  
12 application. The applicant shall sign the concealed carry permit  
13 in the presence of the sheriff or his or her designee [and shall  
14 within seven days of receipt of the certificate of qualification  
15 take the certificate of qualification to the department of  
16 revenue. Upon verification of the certificate of qualification  
17 and completion of a driver's license or nondriver's license  
18 application pursuant to chapter 302, the director of revenue  
19 shall issue a new driver's license or nondriver's license with an  
20 endorsement which identifies that the applicant has received a  
21 certificate of qualification to carry concealed weapons issued  
22 pursuant to sections 571.101 to 571.121 if the applicant is  
23 otherwise qualified to receive such driver's license or  
24 nondriver's license. Notwithstanding any other provision of  
25 chapter 302, a nondriver's license with a concealed carry  
26 endorsement shall expire three years from the date the  
27 certificate of qualification was issued pursuant to this  
28 section].

1           8. The concealed carry permit shall specify only the  
2 following information:

- 3           (1) Name, address, date of birth, gender, height, weight,  
4 color of hair, color of eyes, and signature of the permit holder;  
5           (2) The signature of the sheriff issuing the permit;  
6           (3) The date of issuance; and  
7           (4) The expiration date.

8 The permit shall be no larger than two and one-eighth inches wide  
9 by three and ~~[one-fourth]~~ three-eighths inches long and shall be  
10 of a uniform style prescribed by the department of public safety.  
11 The permit shall also be assigned a ~~[Missouri uniform law~~  
12 ~~enforcement]~~ concealed carry permit system county code and shall  
13 be stored in sequential number.

14           9. (1) The sheriff shall keep a record of all applications  
15 for a concealed carry permit or a provisional permit and his or  
16 her action thereon. Any record of an application that is  
17 incomplete or denied for any reason shall be kept for a period  
18 not to exceed one year. Any record of an application that was  
19 approved shall be kept for a period of one year after the  
20 expiration and nonrenewal of the permit. ~~[Beginning August 28,~~  
21 ~~2013,~~ the department of revenue shall not keep any record of an  
22 application for a concealed carry permit. Any information  
23 collected by the department of revenue related to an application  
24 for a concealed carry endorsement prior to August 28, 2013, shall  
25 be given to the members of MoSMART, created under section  
26 650.350, for the dissemination of the information to the sheriff  
27 of any county or city not within a county in which the applicant  
28 resides to keep in accordance with the provisions of this

1 subsection.]

2 (2) The sheriff shall report the issuance of a concealed  
3 carry permit or provisional permit to the [Missouri uniform law  
4 enforcement] concealed carry permit system. All information on  
5 any such permit that is protected information on any driver's or  
6 nondriver's license shall have the same personal protection for  
7 purposes of sections 571.101 to 571.121. An applicant's status  
8 as a holder of a concealed carry permit, provisional permit, or a  
9 concealed carry endorsement issued prior to August 28, 2013,  
10 shall not be public information and shall be considered personal  
11 protected information. Information retained in the concealed  
12 carry permit system under this subsection shall not be [batch  
13 processed for query] distributed to any federal, state, or  
14 private entities and shall only be made available for a single  
15 entry query of an individual in the event the individual is a  
16 subject of interest in an active criminal investigation or is  
17 arrested for a crime. A sheriff may access the concealed carry  
18 permit system for administrative purposes to issue a permit,  
19 verify the accuracy of permit holder information, change the name  
20 or address of a permit holder, suspend or revoke a permit, cancel  
21 an expired permit, or cancel a permit upon receipt of a certified  
22 death certificate for the permit holder. Any person who violates  
23 the provisions of this [subsection] subdivision by disclosing  
24 protected information shall be guilty of a class A misdemeanor.

25 10. Information regarding any holder of a concealed carry  
26 permit, or a concealed carry endorsement issued prior to August  
27 28, 2013, is a closed record. No bulk download or batch data  
28 shall be [performed or] distributed to any federal, state, or

1 private entity, except to MoSMART [as provided under subsection 9  
2 of this section] or a designee thereof. Any state agency that  
3 has retained any documents or records, including fingerprint  
4 records provided by an applicant for a concealed carry  
5 endorsement prior to August 28, 2013, shall destroy such  
6 documents or records, upon successful issuance of a permit.

7 11. For processing an application for a concealed carry  
8 permit pursuant to sections 571.101 to 571.121, the sheriff in  
9 each county shall charge a nonrefundable fee not to exceed one  
10 hundred dollars which shall be paid to the treasury of the county  
11 to the credit of the sheriff's revolving fund.

12 12. For processing a renewal for a concealed carry permit  
13 pursuant to sections 571.101 to 571.121, the sheriff in each  
14 county shall charge a nonrefundable fee not to exceed fifty  
15 dollars which shall be paid to the treasury of the county to the  
16 credit of the sheriff's revolving fund.

17 13. For the purposes of sections 571.101 to 571.121, the  
18 term "sheriff" shall include the sheriff of any county or city  
19 not within a county or his or her designee and in counties of the  
20 first classification the sheriff may designate the chief of  
21 police of any city, town, or municipality within such county.

22 14. For the purposes of this chapter, "concealed carry  
23 permit" shall include any concealed carry endorsement issued by  
24 the department of revenue before January 1, 2014, and any  
25 concealed carry document issued by any sheriff or under the  
26 authority of any sheriff after December 31, 2013.

27 571.104. 1. [(1) A concealed carry permit issued pursuant  
28 to sections 571.101 to 571.121, and, if applicable,] A concealed

1 carry endorsement issued prior to August 28, 2013, shall be  
2 suspended or revoked if the concealed carry [permit or]  
3 endorsement holder becomes ineligible for such [permit or]  
4 endorsement under the criteria established in subdivisions [(2),]  
5 (3), (4), (5), [(7)] (8), and (11) of subsection 2 of section  
6 571.101 or upon the issuance of a valid full order of protection.  
7 The following procedures shall be followed:

8 [(2)] (1) When a valid full order of protection, or any  
9 arrest warrant, discharge, or commitment for the reasons listed  
10 in subdivision [(2),] (3), (4), (5), [(7)] (8), or (11) of  
11 subsection 2 of section 571.101, is issued against a person  
12 holding [a concealed carry permit issued pursuant to sections  
13 571.101 to 571.121, or] a concealed carry endorsement issued  
14 prior to August 28, 2013, upon notification of said order,  
15 warrant, discharge or commitment or upon an order of a court of  
16 competent jurisdiction in a criminal proceeding, a commitment  
17 proceeding or a full order of protection proceeding ruling that a  
18 person holding a concealed carry [permit or] endorsement presents  
19 a risk of harm to themselves or others, then upon notification of  
20 such order, the holder of the concealed carry [permit or]  
21 endorsement shall surrender [the permit, and, if applicable,] the  
22 driver's license or nondriver's license containing the concealed  
23 carry endorsement to the court, officer, or other official  
24 serving the order, warrant, discharge, or commitment.

25 [(3)] In cases involving a concealed carry endorsement  
26 issued prior to August 28, 2013,] The official to whom the  
27 driver's license or nondriver's license containing the concealed  
28 carry endorsement is surrendered shall issue a receipt to the

1 licensee for the license upon a form, approved by the director of  
2 revenue, that serves as a driver's license or a nondriver's  
3 license and clearly states the concealed carry endorsement has  
4 been suspended. The official shall then transmit the driver's  
5 license or a nondriver's license containing the concealed carry  
6 endorsement to the circuit court of the county issuing the order,  
7 warrant, discharge, or commitment. [The concealed carry permit  
8 issued pursuant to sections 571.101 to 571.121, and, if  
9 applicable,] The concealed carry endorsement issued prior to  
10 August 28, 2013, shall be suspended until the order is terminated  
11 or until the arrest results in a dismissal of all charges. The  
12 official to whom the endorsement is surrendered shall  
13 administratively suspend the endorsement in the concealed carry  
14 permit system established under subsection 5 of section 650.350  
15 until such time as the order is terminated or until the charges  
16 are dismissed. Upon dismissal, the court holding the [permit  
17 and, if applicable, the] driver's license or nondriver's license  
18 containing the concealed carry endorsement shall return such  
19 [permit or] license to the individual, and the official to whom  
20 the endorsement was surrendered shall administratively return the  
21 endorsement to good standing within the concealed carry permit  
22 system.

23 [(4)] (2) Any conviction, discharge, or commitment  
24 specified in sections 571.101 to 571.121 shall result in a  
25 revocation. Upon conviction, the court shall forward a notice of  
26 conviction or action [and the permit to the issuing county  
27 sheriff. If a concealed carry endorsement issued prior to August  
28 28, 2013, is revoked, the court shall forward the notice] and the

1 driver's license or nondriver's license with the concealed carry  
2 endorsement to the department of revenue. The department of  
3 revenue shall notify the sheriff of the county which issued the  
4 certificate of qualification for a concealed carry endorsement.  
5 The sheriff who issued the [concealed carry permit, or the]  
6 certificate of qualification prior to August 28, 2013, shall  
7 report the change in status of the [concealed carry permit or]  
8 endorsement to the [Missouri uniform law enforcement] concealed  
9 carry permit system established under subsection 5 of section  
10 650.350. The director of revenue shall immediately remove the  
11 endorsement issued prior to August 28, 2013, from the  
12 individual's driving record within three days of the receipt of  
13 the notice from the court. The director of revenue shall notify  
14 the licensee that he or she must apply for a new license pursuant  
15 to chapter 302 which does not contain such endorsement. This  
16 requirement does not affect the driving privileges of the  
17 licensee. The notice issued by the department of revenue shall  
18 be mailed to the last known address shown on the individual's  
19 driving record. The notice is deemed received three days after  
20 mailing.

21 2. A concealed carry permit issued pursuant to sections  
22 571.101 to 571.121 after August 28, 2013, shall be suspended or  
23 revoked if the concealed carry permit holder becomes ineligible  
24 for such permit under the criteria established in subdivisions  
25 (3), (4), (5), (8), and (11) of subsection 2 of section 571.101  
26 or upon the issuance of a valid full order of protection. The  
27 following procedures shall be followed:

28 (1) When a valid full order of protection or any arrest

1 warrant, discharge, or commitment for the reasons listed in  
2 subdivision (3), (4), (5), (8), or (11) of subsection 2 of  
3 section 571.101 is issued against a person holding a concealed  
4 carry permit, upon notification of said order, warrant,  
5 discharge, or commitment, or upon an order of a court of  
6 competent jurisdiction in a criminal proceeding, a commitment  
7 proceeding, or a full order of protection proceeding ruling that  
8 a person holding a concealed carry permit presents a risk of harm  
9 to themselves or others, then upon notification of such order,  
10 the holder of the concealed carry permit shall surrender the  
11 permit to the court, officer, or other official serving the  
12 order, warrant, discharge, or commitment. The permit shall be  
13 suspended until the order is terminated or until the arrest  
14 results in a dismissal of all charges. The official to whom the  
15 permit is surrendered shall administratively suspend the permit  
16 in the concealed carry permit system until the order is  
17 terminated or the charges are dismissed. Upon dismissal, the  
18 court holding the permit shall return such permit to the  
19 individual and the official to whom the permit was surrendered  
20 shall administratively return the permit to good standing within  
21 the concealed carry permit system.

22 (2) Any conviction, discharge, or commitment specified in  
23 sections 571.101 to 571.121 shall result in a revocation. Upon  
24 conviction, the court shall forward a notice of conviction or  
25 action and the permit to the issuing county sheriff. The sheriff  
26 who issued the concealed carry permit shall report the change in  
27 status of the concealed carry permit to the concealed carry  
28 permit system.

1           [2.] 3. A concealed carry permit shall be renewed for a  
2 qualified applicant upon receipt of the properly completed  
3 renewal application and the required renewal fee by the sheriff  
4 of the county of the applicant's residence. The renewal  
5 application shall contain the same required information as set  
6 forth in subsection 3 of section 571.101, except that in lieu of  
7 the fingerprint requirement of subsection 5 of section 571.101  
8 and the firearms safety training, the applicant need only display  
9 his or her current concealed carry permit. A name-based  
10 [background check, including an] inquiry of the National Instant  
11 Criminal Background Check System, shall be completed for each  
12 renewal application. The sheriff shall review the results of the  
13 [background check] report from the National Instant Criminal  
14 Background Check System, and when the sheriff has determined the  
15 applicant has successfully completed all renewal requirements and  
16 is not disqualified under any provision of section 571.101, the  
17 sheriff shall issue a new concealed carry permit which contains  
18 the date such permit was renewed. The process for renewing a  
19 concealed carry endorsement issued prior to August 28, 2013,  
20 shall be the same as the process for renewing a permit, except  
21 that in lieu of the fingerprint requirement of subsection 5 of  
22 section 571.101 and the firearms safety training, the applicant  
23 need only display his or her current driver's license or  
24 nondriver's license containing an endorsement. Upon successful  
25 completion of all renewal requirements, the sheriff shall issue a  
26 new concealed carry permit as provided under this subsection.

27           [3.] 4. A person who has been issued a concealed carry  
28 permit, or a certificate of qualification for a concealed carry

1 endorsement prior to August 28, 2013, who fails to file a renewal  
2 application for a concealed carry permit on or before its  
3 expiration date must pay an additional late fee of ten dollars  
4 per month for each month it is expired for up to six months.  
5 After six months, the sheriff who issued the expired concealed  
6 carry permit or certificate of qualification shall notify the  
7 [Missouri uniform law enforcement] concealed carry permit system  
8 [and the individual] that such permit is expired and cancelled.  
9 If the person has a concealed carry endorsement issued prior to  
10 August 28, 2013, the sheriff who issued the certificate of  
11 qualification for the endorsement shall notify the director of  
12 revenue that such certificate is expired regardless of whether  
13 the endorsement holder has applied for a concealed carry permit  
14 under subsection 2 of this section. The director of revenue  
15 shall immediately remove such endorsement from the individual's  
16 driving record and notify the individual that his or her driver's  
17 license or nondriver's license has expired. The notice shall be  
18 conducted in the same manner as described in subsection 1 of this  
19 section. Any person who has been issued a concealed carry permit  
20 pursuant to sections 571.101 to 571.121, or a concealed carry  
21 endorsement issued prior to August 28, 2013, who fails to renew  
22 his or her application within the six-month period must reapply  
23 for a new concealed carry permit and pay the fee for a new  
24 application.

25 [4.] 5. Any person issued a concealed carry permit pursuant  
26 to sections 571.101 to 571.121, or a concealed carry endorsement  
27 issued prior to August 28, 2013, shall notify the [sheriffs of  
28 both the old and new jurisdictions] sheriff of the new

1 jurisdiction of the permit or endorsement holder's change of  
2 residence within thirty days after the changing of a permanent  
3 residence to a location outside the county of permit issuance.  
4 The permit or endorsement holder shall furnish proof to the  
5 sheriff in the new jurisdiction that the permit or endorsement  
6 holder has changed his or her residence. The sheriff in the new  
7 jurisdiction shall notify the sheriff in the old jurisdiction of  
8 the permit holder's change of address and the sheriff in the old  
9 jurisdiction shall transfer any information on file for the  
10 permit holder to the sheriff in the new jurisdiction within  
11 thirty days. The sheriff of the new jurisdiction may charge a  
12 processing fee of not more than ten dollars for any costs  
13 associated with notification of a change in residence. [If the  
14 person has a concealed carry endorsement issued prior to August  
15 28, 2013, the endorsement holder shall also furnish proof to the  
16 department of revenue of his or her residence change. In such  
17 cases, the change of residence shall be made by the department of  
18 revenue onto the individual's driving record.] The sheriff shall  
19 report the residence change to the [Missouri uniform law  
20 enforcement system, and] concealed carry permit system, take  
21 possession and destroy the old permit, and then issue a new  
22 permit to the permit holder. The new address shall be accessible  
23 by the [Missouri uniform law enforcement] concealed carry permit  
24 system within three days of receipt of the information. If the  
25 person has a concealed carry endorsement issued prior to August  
26 28, 2013, the endorsement holder shall also furnish proof to the  
27 department of revenue of his or her residence change. In such  
28 cases, the change of residence shall be made by the department of

1 revenue onto the individual's driving record.

2 [5.] 6. Any person issued a concealed carry permit pursuant  
3 to sections 571.101 to 571.121, or a concealed carry endorsement  
4 issued prior to August 28, 2013, shall notify the sheriff or his  
5 or her designee of the permit or endorsement holder's county or  
6 city of residence within seven days after actual knowledge of the  
7 loss or destruction of his or her permit or driver's license or  
8 nondriver's license containing a concealed carry endorsement.  
9 The permit or endorsement holder shall furnish a statement to the  
10 sheriff that the permit or driver's license or nondriver's  
11 license containing the concealed carry endorsement has been lost  
12 or destroyed. After notification of the loss or destruction of a  
13 permit or driver's license or nondriver's license containing a  
14 concealed carry endorsement, the sheriff may charge a processing  
15 fee of ten dollars for costs associated with ~~[placing]~~ replacing  
16 a lost or destroyed permit or driver's license or nondriver's  
17 license containing a concealed carry endorsement and shall  
18 reissue a new concealed carry permit within three working days of  
19 being notified by the concealed carry permit or endorsement  
20 holder of its loss or destruction. The new concealed carry  
21 permit shall contain the same personal information, including  
22 expiration date, as the original concealed carry permit.

23 [6.] 7. If a person issued a concealed carry permit, or  
24 endorsement issued prior to August 28, 2013, changes his or her  
25 name, the person to whom the permit or endorsement was issued  
26 shall obtain a corrected or new concealed carry permit with a  
27 change of name from the sheriff who issued the original concealed  
28 carry permit or the original certificate of qualification for an

1 endorsement upon the sheriff's verification of the name change.  
2 The sheriff may charge a processing fee of not more than ten  
3 dollars for any costs associated with obtaining a corrected or  
4 new concealed carry permit. The permit or endorsement holder  
5 shall furnish proof of the name change to the sheriff within  
6 thirty days of changing his or her name and display his or her  
7 concealed carry permit or current driver's license or nondriver's  
8 license containing a concealed carry endorsement. The sheriff  
9 shall report the name change to the [Missouri uniform law  
10 enforcement] concealed carry permit system, and the new name  
11 shall be accessible by the [Missouri uniform law enforcement]  
12 concealed carry permit system within three days of receipt of the  
13 information.

14 [7.] 8. The person with a concealed carry permit, or  
15 endorsement issued prior to August 28, 2013, shall notify the  
16 sheriff of a name or address change within thirty days of the  
17 change. A concealed carry permit and, if applicable, endorsement  
18 shall be automatically invalid after [thirty] one hundred eighty  
19 days if the permit or endorsement holder has changed his or her  
20 name or changed his or her residence and not notified the sheriff  
21 as required in subsections [4] 5 and [6] 7 of this section. The  
22 sheriff shall assess a late penalty of ten dollars per month for  
23 each month, up to six months and not to exceed sixty dollars, for  
24 the failure to notify the sheriff of the change of name or  
25 address within thirty days.

26 571.107. 1. A concealed carry permit issued pursuant to  
27 sections 571.101 to 571.121, a valid concealed carry endorsement  
28 issued prior to August 28, 2013, or a concealed carry endorsement

1 or permit issued by another state or political subdivision of  
2 another state shall authorize the person in whose name the permit  
3 or endorsement is issued to carry concealed firearms on or about  
4 his or her person or vehicle throughout the state. No concealed  
5 carry permit issued pursuant to sections 571.101 to 571.121,  
6 valid concealed carry endorsement issued prior to August 28,  
7 2013, or a concealed carry endorsement or permit issued by  
8 another state or political subdivision of another state shall  
9 authorize any person to carry concealed firearms into:

10 (1) Any police, sheriff, or highway patrol office or  
11 station without the consent of the chief law enforcement officer  
12 in charge of that office or station. Possession of a firearm in  
13 a vehicle on the premises of the office or station shall not be a  
14 criminal offense so long as the firearm is not removed from the  
15 vehicle or brandished while the vehicle is on the premises;

16 (2) Within twenty-five feet of any polling place on any  
17 election day. Possession of a firearm in a vehicle on the  
18 premises of the polling place shall not be a criminal offense so  
19 long as the firearm is not removed from the vehicle or brandished  
20 while the vehicle is on the premises;

21 (3) The facility of any adult or juvenile detention or  
22 correctional institution, prison or jail. Possession of a  
23 firearm in a vehicle on the premises of any adult, juvenile  
24 detention, or correctional institution, prison or jail shall not  
25 be a criminal offense so long as the firearm is not removed from  
26 the vehicle or brandished while the vehicle is on the premises;

27 (4) Any courthouse solely occupied by the circuit,  
28 appellate or supreme court, or any courtrooms, administrative

1 offices, libraries or other rooms of any such court whether or  
2 not such court solely occupies the building in question. This  
3 subdivision shall also include, but not be limited to, any  
4 juvenile, family, drug, or other court offices, any room or  
5 office wherein any of the courts or offices listed in this  
6 subdivision are temporarily conducting any business within the  
7 jurisdiction of such courts or offices, and such other locations  
8 in such manner as may be specified by supreme court rule pursuant  
9 to subdivision (6) of this subsection. Nothing in this  
10 subdivision shall preclude those persons listed in subdivision  
11 (1) of subsection 2 of section 571.030 while within their  
12 jurisdiction and on duty, those persons listed in subdivisions  
13 (2), (4), and (10) of subsection 2 of section 571.030, or such  
14 other persons who serve in a law enforcement capacity for a court  
15 as may be specified by supreme court rule pursuant to subdivision  
16 (6) of this subsection from carrying a concealed firearm within  
17 any of the areas described in this subdivision. Possession of a  
18 firearm in a vehicle on the premises of any of the areas listed  
19 in this subdivision shall not be a criminal offense so long as  
20 the firearm is not removed from the vehicle or brandished while  
21 the vehicle is on the premises;

22 (5) Any meeting of the governing body of a unit of local  
23 government; or any meeting of the general assembly or a committee  
24 of the general assembly, except that nothing in this subdivision  
25 shall preclude a member of the body holding a valid concealed  
26 carry permit or endorsement from carrying a concealed firearm at  
27 a meeting of the body which he or she is a member. Possession of  
28 a firearm in a vehicle on the premises shall not be a criminal

1 offense so long as the firearm is not removed from the vehicle or  
2 brandished while the vehicle is on the premises. Nothing in this  
3 subdivision shall preclude a member of the general assembly, a  
4 full-time employee of the general assembly employed under Section  
5 17, Article III, Constitution of Missouri, legislative employees  
6 of the general assembly as determined under section 21.155, or  
7 statewide elected officials and their employees, holding a valid  
8 concealed carry permit or endorsement, from carrying a concealed  
9 firearm in the state capitol building or at a meeting whether of  
10 the full body of a house of the general assembly or a committee  
11 thereof, that is held in the state capitol building;

12 (6) The general assembly, supreme court, county or  
13 municipality may by rule, administrative regulation, or ordinance  
14 prohibit or limit the carrying of concealed firearms by permit or  
15 endorsement holders in that portion of a building owned, leased  
16 or controlled by that unit of government. Any portion of a  
17 building in which the carrying of concealed firearms is  
18 prohibited or limited shall be clearly identified by signs posted  
19 at the entrance to the restricted area. The statute, rule or  
20 ordinance shall exempt any building used for public housing by  
21 private persons, highways or rest areas, firing ranges, and  
22 private dwellings owned, leased, or controlled by that unit of  
23 government from any restriction on the carrying or possession of  
24 a firearm. The statute, rule or ordinance shall not specify any  
25 criminal penalty for its violation but may specify that persons  
26 violating the statute, rule or ordinance may be denied entrance  
27 to the building, ordered to leave the building and if employees  
28 of the unit of government, be subjected to disciplinary measures

1 for violation of the provisions of the statute, rule or  
2 ordinance. The provisions of this subdivision shall not apply to  
3 any other unit of government;

4 (7) Any establishment licensed to dispense intoxicating  
5 liquor for consumption on the premises, which portion is  
6 primarily devoted to that purpose, without the consent of the  
7 owner or manager. The provisions of this subdivision shall not  
8 apply to the licensee of said establishment. The provisions of  
9 this subdivision shall not apply to any bona fide restaurant open  
10 to the general public having dining facilities for not less than  
11 fifty persons and that receives at least fifty-one percent of its  
12 gross annual income from the dining facilities by the sale of  
13 food. This subdivision does not prohibit the possession of a  
14 firearm in a vehicle on the premises of the establishment and  
15 shall not be a criminal offense so long as the firearm is not  
16 removed from the vehicle or brandished while the vehicle is on  
17 the premises. Nothing in this subdivision authorizes any  
18 individual who has been issued a concealed carry permit or  
19 endorsement to possess any firearm while intoxicated;

20 (8) Any area of an airport to which access is controlled by  
21 the inspection of persons and property. Possession of a firearm  
22 in a vehicle on the premises of the airport shall not be a  
23 criminal offense so long as the firearm is not removed from the  
24 vehicle or brandished while the vehicle is on the premises;

25 (9) Any place where the carrying of a firearm is prohibited  
26 by federal law;

27 (10) Any higher education institution or elementary or  
28 secondary school facility without the consent of the governing

1 body of the higher education institution or a school official or  
2 the district school board, unless the person with the concealed  
3 carry endorsement or permit is a teacher or administrator of an  
4 elementary or secondary school who has been designated by his or  
5 her school district as a school protection officer and is  
6 carrying a firearm in a school within that district, in which  
7 case no consent is required. Possession of a firearm in a  
8 vehicle on the premises of any higher education institution or  
9 elementary or secondary school facility shall not be a criminal  
10 offense so long as the firearm is not removed from the vehicle or  
11 brandished while the vehicle is on the premises;

12 (11) Any portion of a building used as a child care  
13 facility without the consent of the manager. Nothing in this  
14 subdivision shall prevent the operator of a child care facility  
15 in a family home from owning or possessing a firearm or a  
16 concealed carry permit or endorsement;

17 (12) Any riverboat gambling operation accessible by the  
18 public without the consent of the owner or manager pursuant to  
19 rules promulgated by the gaming commission. Possession of a  
20 firearm in a vehicle on the premises of a riverboat gambling  
21 operation shall not be a criminal offense so long as the firearm  
22 is not removed from the vehicle or brandished while the vehicle  
23 is on the premises;

24 (13) Any gated area of an amusement park. Possession of a  
25 firearm in a vehicle on the premises of the amusement park shall  
26 not be a criminal offense so long as the firearm is not removed  
27 from the vehicle or brandished while the vehicle is on the  
28 premises;

1           (14) Any church or other place of religious worship without  
2 the consent of the minister or person or persons representing the  
3 religious organization that exercises control over the place of  
4 religious worship. Possession of a firearm in a vehicle on the  
5 premises shall not be a criminal offense so long as the firearm  
6 is not removed from the vehicle or brandished while the vehicle  
7 is on the premises;

8           (15) Any private property whose owner has posted the  
9 premises as being off-limits to concealed firearms by means of  
10 one or more signs displayed in a conspicuous place of a minimum  
11 size of eleven inches by fourteen inches with the writing thereon  
12 in letters of not less than one inch. The owner, business or  
13 commercial lessee, manager of a private business enterprise, or  
14 any other organization, entity, or person may prohibit persons  
15 holding a concealed carry permit or endorsement from carrying  
16 concealed firearms on the premises and may prohibit employees,  
17 not authorized by the employer, holding a concealed carry permit  
18 or endorsement from carrying concealed firearms on the property  
19 of the employer. If the building or the premises are open to the  
20 public, the employer of the business enterprise shall post signs  
21 on or about the premises if carrying a concealed firearm is  
22 prohibited. Possession of a firearm in a vehicle on the premises  
23 shall not be a criminal offense so long as the firearm is not  
24 removed from the vehicle or brandished while the vehicle is on  
25 the premises. An employer may prohibit employees or other  
26 persons holding a concealed carry permit or endorsement from  
27 carrying a concealed firearm in vehicles owned by the employer;

28           (16) Any sports arena or stadium with a seating capacity of

1 five thousand or more. Possession of a firearm in a vehicle on  
2 the premises shall not be a criminal offense so long as the  
3 firearm is not removed from the vehicle or brandished while the  
4 vehicle is on the premises;

5 (17) Any hospital accessible by the public. Possession of  
6 a firearm in a vehicle on the premises of a hospital shall not be  
7 a criminal offense so long as the firearm is not removed from the  
8 vehicle or brandished while the vehicle is on the premises.

9 2. Carrying of a concealed firearm in a location specified  
10 in subdivisions (1) to (17) of subsection 1 of this section by  
11 any individual who holds a concealed carry permit issued pursuant  
12 to sections 571.101 to 571.121, or a concealed carry endorsement  
13 issued prior to August 28, 2013, shall not be a criminal act but  
14 may subject the person to denial to the premises or removal from  
15 the premises. If such person refuses to leave the premises and a  
16 peace officer is summoned, such person may be issued a citation  
17 for an amount not to exceed one hundred dollars for the first  
18 offense. If a second citation for a similar violation occurs  
19 within a six-month period, such person shall be fined an amount  
20 not to exceed two hundred dollars and his or her permit, and, if  
21 applicable, endorsement to carry concealed firearms shall be  
22 suspended for a period of one year. If a third citation for a  
23 similar violation is issued within one year of the first  
24 citation, such person shall be fined an amount not to exceed five  
25 hundred dollars and shall have his or her concealed carry permit,  
26 and, if applicable, endorsement revoked and such person shall not  
27 be eligible for a concealed carry permit for a period of three  
28 years. Upon conviction of charges arising from a citation issued

1 pursuant to this subsection, the court shall notify the sheriff  
2 of the county which issued the concealed carry permit, or, if the  
3 person is a holder of a concealed carry endorsement issued prior  
4 to August 28, 2013, the court shall notify the sheriff of the  
5 county which issued the certificate of qualification for a  
6 concealed carry endorsement and the department of revenue. The  
7 sheriff shall suspend or revoke the concealed carry permit or, if  
8 applicable, the certificate of qualification for a concealed  
9 carry endorsement. If the person holds an endorsement, the  
10 department of revenue shall issue a notice of such suspension or  
11 revocation of the concealed carry endorsement and take action to  
12 remove the concealed carry endorsement from the individual's  
13 driving record. The director of revenue shall notify the  
14 licensee that he or she must apply for a new license pursuant to  
15 chapter 302 which does not contain such endorsement. The notice  
16 issued by the department of revenue shall be mailed to the last  
17 known address shown on the individual's driving record. The  
18 notice is deemed received three days after mailing.

19 571.111. 1. An applicant for a concealed carry permit  
20 shall demonstrate knowledge of firearms safety training. This  
21 requirement shall be fully satisfied if the applicant for a  
22 concealed carry permit:

23 (1) Submits a photocopy of a certificate of firearms safety  
24 training course completion, as defined in subsection 2 of this  
25 section, signed by a qualified firearms safety instructor as  
26 defined in subsection 5 of this section; or

27 (2) Submits a photocopy of a certificate that shows the  
28 applicant completed a firearms safety course given by or under

1 the supervision of any state, county, municipal, or federal law  
2 enforcement agency; or

3 (3) Is a qualified firearms safety instructor as defined in  
4 subsection 5 of this section; or

5 (4) Submits proof that the applicant currently holds any  
6 type of valid peace officer license issued under the requirements  
7 of chapter 590; or

8 (5) Submits proof that the applicant is currently allowed  
9 to carry firearms in accordance with the certification  
10 requirements of section 217.710; or

11 (6) Submits proof that the applicant is currently certified  
12 as any class of corrections officer by the Missouri department of  
13 corrections and has passed at least one eight-hour firearms  
14 training course, approved by the director of the Missouri  
15 department of corrections under the authority granted to him or  
16 her, that includes instruction on the justifiable use of force as  
17 prescribed in chapter 563; or

18 (7) Submits a photocopy of a certificate of firearms safety  
19 training course completion that was issued on August 27, 2011, or  
20 earlier so long as the certificate met the requirements of  
21 subsection 2 of this section that were in effect on the date it  
22 was issued.

23 2. A certificate of firearms safety training course  
24 completion may be issued to any applicant by any qualified  
25 firearms safety instructor. On the certificate of course  
26 completion the qualified firearms safety instructor shall affirm  
27 that the individual receiving instruction has taken and passed a  
28 firearms safety course of at least eight hours in length taught

1 by the instructor that included:

2 (1) Handgun safety in the classroom, at home, on the firing  
3 range and while carrying the firearm;

4 (2) A physical demonstration performed by the applicant  
5 that demonstrated his or her ability to safely load and unload  
6 either a revolver [and] or a semiautomatic pistol and  
7 demonstrated his or her marksmanship with [both] either firearm;

8 (3) The basic principles of marksmanship;

9 (4) Care and cleaning of concealable firearms;

10 (5) Safe storage of firearms at home;

11 (6) The requirements of this state for obtaining a  
12 concealed carry permit from the sheriff of the individual's  
13 county of residence;

14 (7) The laws relating to firearms as prescribed in this  
15 chapter;

16 (8) The laws relating to the justifiable use of force as  
17 prescribed in chapter 563;

18 (9) A live firing exercise of sufficient duration for each  
19 applicant to fire [both] either a revolver [and] or a  
20 semiautomatic pistol, from a standing position or its equivalent,  
21 a minimum of twenty rounds from [each] the handgun at a distance  
22 of seven yards from a B-27 silhouette target or an equivalent  
23 target;

24 (10) A live fire test administered to the applicant while  
25 the instructor was present of twenty rounds from [each handgun]  
26 either a revolver or a semiautomatic pistol from a standing  
27 position or its equivalent at a distance from a B-27 silhouette  
28 target, or an equivalent target, of seven yards.

1           3. A qualified firearms safety instructor shall not give a  
2 grade of passing to an applicant for a concealed carry permit  
3 who:

4           (1) Does not follow the orders of the qualified firearms  
5 instructor or cognizant range officer; or

6           (2) Handles a firearm in a manner that, in the judgment of  
7 the qualified firearm safety instructor, poses a danger to the  
8 applicant or to others; or

9           (3) During the live fire testing portion of the course  
10 fails to hit the silhouette portion of the targets with at least  
11 fifteen rounds[, with both handguns].

12          4. Qualified firearms safety instructors who provide  
13 firearms safety instruction to any person who applies for a  
14 concealed carry permit shall:

15          (1) Make the applicant's course records available upon  
16 request to the sheriff of the county in which the applicant  
17 resides;

18          (2) Maintain all course records on students for a period of  
19 no less than four years from course completion date; and

20          (3) Not have more than forty students per certified  
21 instructor in the classroom portion of the course or more than  
22 five students per range officer engaged in range firing.

23          5. A firearms safety instructor shall be considered to be a  
24 qualified firearms safety instructor by any sheriff issuing a  
25 concealed carry permit pursuant to sections 571.101 to 571.121 if  
26 the instructor:

27          (1) Is a valid firearms safety instructor certified by the  
28 National Rifle Association holding a rating as a personal

1 protection instructor or pistol marksmanship instructor; or

2 (2) Submits a photocopy of a notarized certificate from a  
3 firearms safety instructor's course offered by a local, state, or  
4 federal governmental agency; or

5 (3) Submits a photocopy of a notarized certificate from a  
6 firearms safety instructor course approved by the department of  
7 public safety; or

8 (4) Has successfully completed a firearms safety instructor  
9 course given by or under the supervision of any state, county,  
10 municipal, or federal law enforcement agency; or

11 (5) Is a certified police officer firearms safety  
12 instructor.

13 6. Any firearms safety instructor qualified under  
14 subsection 5 of this section may submit a copy of a training  
15 instructor certificate, course outline bearing the notarized  
16 signature of the instructor, and a recent photograph of [his or  
17 herself] the instructor to the sheriff of the county in which [he  
18 or she] the instructor resides. [Each] The sheriff shall review  
19 the training instructor certificate along with the course outline  
20 and verify the firearms safety instructor is qualified and the  
21 course meets the requirements provided under this section. If  
22 the sheriff verifies the firearms safety instructor is qualified  
23 and the course meets the requirements provided under this  
24 section, the sheriff shall collect an annual registration fee of  
25 ten dollars from each qualified instructor who chooses to submit  
26 such information and [shall retain a] submit the registration to  
27 the Missouri sheriff methamphetamine relief taskforce. The  
28 Missouri sheriff methamphetamine relief taskforce, or its

1 designated agent, shall create and maintain a statewide database  
2 of qualified instructors. This information shall be a closed  
3 record except for access by any sheriff. Firearms safety  
4 instructors may register annually and the registration is only  
5 effective for the calendar year in which the instructor  
6 registered. Any sheriff may access the statewide database  
7 maintained by the Missouri sheriff methamphetamine relief  
8 taskforce to verify the firearms safety instructor is qualified  
9 and the course offered by the instructor meets the requirements  
10 provided under this section. Unless a sheriff has reason to  
11 believe otherwise, a sheriff shall presume a firearms safety  
12 instructor is qualified to provide firearms safety instruction in  
13 counties throughout the state under this section if the  
14 instructor is registered on the statewide database of qualified  
15 instructors.

16 7. Any firearms safety instructor who knowingly provides  
17 any sheriff with any false information concerning an applicant's  
18 performance on any portion of the required training and  
19 qualification shall be guilty of a class C misdemeanor. A  
20 violation of the provisions of this section shall result in the  
21 person being prohibited from instructing concealed carry permit  
22 classes and issuing certificates.

23 571.117. 1. Any person who has knowledge that another  
24 person, who was issued a concealed carry permit pursuant to  
25 sections 571.101 to 571.121, or concealed carry endorsement prior  
26 to August 28, 2013, never was or no longer is eligible for such  
27 permit or endorsement under the criteria established in sections  
28 571.101 to 571.121 may file a petition with the clerk of the

1 small claims court to revoke that person's concealed carry permit  
2 or endorsement. The petition shall be in a form substantially  
3 similar to the petition for revocation of concealed carry permit  
4 or endorsement provided in this section. Appeal forms shall be  
5 provided by the clerk of the small claims court free of charge to  
6 any person:

7 SMALL CLAIMS COURT

8 In the Circuit Court of ....., Missouri  
9 ....., PLAINTIFF

10 )

11 )

12 vs. ) Case Number .....

13 )

14 ....., DEFENDANT,  
15 Carry Permit or Endorsement Holder  
16 ....., DEFENDANT,  
17 Sheriff of Issuance

18  
19 PETITION FOR REVOCATION OF A CONCEALED CARRY PERMIT OR CONCEALED  
20 CARRY ENDORSEMENT

21 Plaintiff states to the court that the defendant, .....,  
22 has a concealed carry permit issued pursuant to sections 571.101  
23 to 571.121, RSMo, or a concealed carry endorsement issued prior  
24 to August 28, 2013, and that the defendant's concealed carry  
25 permit or concealed carry endorsement should now be revoked  
26 because the defendant either never was or no longer is eligible  
27 for such a permit or endorsement pursuant to the provisions of  
28 sections 571.101 to 571.121, RSMo, specifically plaintiff states

1 that defendant, ....., never was or no longer is  
2 eligible for such permit or endorsement for one or more of the  
3 following reasons:

4 (CHECK BELOW EACH REASON THAT APPLIES TO THIS DEFENDANT)

5  Defendant is not at least [twenty-one] nineteen years of age  
6 or at least eighteen years of age and a member of the  
7 United States Armed Forces or honorably discharged from the  
8 United States Armed Forces.

9  Defendant is not a citizen or permanent resident of the  
10 United States.

11  Defendant had not resided in this state prior to issuance of  
12 the permit and does not qualify as a military member or  
13 spouse of a military member stationed in Missouri.

14  Defendant has pled guilty to or been convicted of a crime  
15 punishable by imprisonment for a term exceeding two years  
16 under the laws of any state or of the United States other  
17 than a crime classified as a misdemeanor under the laws of  
18 any state and punishable by a term of imprisonment of one  
19 year or less that does not involve an explosive weapon,  
20 firearm, firearm silencer, or gas gun.

21  Defendant has been convicted of, pled guilty to or entered a  
22 plea of nolo contendere to one or more misdemeanor offenses  
23 involving crimes of violence within a five-year period  
24 immediately preceding application for a concealed carry  
25 permit issued pursuant to sections 571.101 to 571.121, RSMo,  
26 or a concealed carry endorsement issued prior to August 28,  
27 2013, or if the applicant has been convicted of two or more  
28 misdemeanor offenses involving driving while under the

1 influence of intoxicating liquor or drugs or the possession  
2 or abuse of a controlled substance within a five-year period  
3 immediately preceding application for a concealed carry  
4 permit issued pursuant to sections 571.101 to 571.121, RSMo,  
5 or a concealed carry endorsement issued prior to August 28,  
6 2013.

7  Defendant is a fugitive from justice or currently charged in  
8 an information or indictment with the commission of a crime  
9 punishable by imprisonment for a term exceeding one year  
10 under the laws of any state of the United States other than  
11 a crime classified as a misdemeanor under the laws of any  
12 state and punishable by a term of imprisonment of two years  
13 or less that does not involve an explosive weapon, firearm,  
14 firearm silencer, or gas gun.

15  Defendant has been discharged under dishonorable conditions  
16 from the United States Armed Forces.

17  Defendant is reasonably believed by the sheriff to be a  
18 danger to self or others based on previous, documented  
19 pattern.

20  Defendant is adjudged mentally incompetent at the time of  
21 application or for five years prior to application, or has  
22 been committed to a mental health facility, as defined in  
23 section 632.005, RSMo, or a similar institution located in  
24 another state, except that a person whose release or  
25 discharge from a facility in this state pursuant to chapter  
26 632, RSMo, or a similar discharge from a facility in another  
27 state, occurred more than five years ago without subsequent  
28 recommitment may apply.

1     Defendant failed to submit a completed application for a  
2    concealed carry permit issued pursuant to sections 571.101  
3    to 571.121, RSMo, or a concealed carry endorsement issued  
4    prior to August 28, 2013.

5     Defendant failed to submit to or failed to clear the  
6    required background check. (Note: This does not apply if  
7    the defendant has submitted to a background check and been  
8    issued a provisional permit pursuant to subdivision (2) of  
9    subsection 5 of section 571.101, and the results of the  
10   background check are still pending.)

11    Defendant failed to submit an affidavit attesting that the  
12   applicant complies with the concealed carry safety training  
13   requirement pursuant to subsection 1 of section 571.111,  
14   RSMo.

15    Defendant is otherwise disqualified from possessing a  
16   firearm [pursuant to 18 U.S.C. 922(g)] under section 571.070  
17   because (specify reason):

18   The plaintiff subject to penalty for perjury states that the  
19   information contained in this petition is true and correct to the  
20   best of the plaintiff's knowledge, is reasonably based upon the  
21   petitioner's personal knowledge and is not primarily intended to  
22   harass the defendant/respondent named herein.

23   ....., PLAINTIFF

24        2. If at the hearing the plaintiff shows that the defendant  
25   was not eligible for the concealed carry permit issued pursuant  
26   to sections 571.101 to 571.121, or a concealed carry endorsement  
27   issued prior to August 28, 2013, at the time of issuance or  
28   renewal or is no longer eligible for a concealed carry permit or

1 the concealed carry endorsement, the court shall issue an  
2 appropriate order to cause the revocation of the concealed carry  
3 permit and, if applicable, the concealed carry endorsement.  
4 Costs shall not be assessed against the sheriff.

5 3. The finder of fact, in any action brought against a  
6 permit or endorsement holder pursuant to subsection 1 of this  
7 section, shall make findings of fact and the court shall make  
8 conclusions of law addressing the issues at dispute. If it is  
9 determined that the plaintiff in such an action acted without  
10 justification or with malice or primarily with an intent to  
11 harass the permit or endorsement holder or that there was no  
12 reasonable basis to bring the action, the court shall order the  
13 plaintiff to pay the defendant/respondent all reasonable costs  
14 incurred in defending the action including, but not limited to,  
15 attorney's fees, deposition costs, and lost wages. Once the  
16 court determines that the plaintiff is liable to the  
17 defendant/respondent for costs and fees, the extent and type of  
18 fees and costs to be awarded should be liberally calculated in  
19 defendant/respondent's favor. Notwithstanding any other  
20 provision of law, reasonable attorney's fees shall be presumed to  
21 be at least one hundred fifty dollars per hour.

22 4. Any person aggrieved by any final judgment rendered by a  
23 small claims court in a petition for revocation of a concealed  
24 carry permit or concealed carry endorsement may have a right to  
25 trial de novo as provided in sections 512.180 to 512.320.

26 5. The office of the county sheriff or any employee or  
27 agent of the county sheriff shall not be liable for damages in  
28 any civil action arising from alleged wrongful or improper

1 granting, renewing, or failure to revoke a concealed carry permit  
2 issued pursuant to sections 571.101 to 571.121, or a certificate  
3 of qualification for a concealed carry endorsement issued prior  
4 to August 28, 2013, so long as the sheriff acted in good faith.

5 571.510. 1. For purposes of this section, the terms  
6 "authority" or "housing authority" shall mean any of the  
7 corporations created pursuant to the authority of section 99.040  
8 and any entity or agent associated with such authority that  
9 administers or uses public moneys provided by the United States  
10 Department of Housing and Urban Development to fund very low,  
11 lower, and moderate income public rental housing assistance. For  
12 purposes of this section, the term "lessee" means a lessee of  
13 residential premises.

14 2. Notwithstanding any provision of law to the contrary, no  
15 housing authority, authority, or lessor receiving public funds  
16 from a housing authority or authority shall prohibit a lessee or  
17 a member of the lessee's immediate household or guest from  
18 personally possessing firearms within an individual residence,  
19 common areas, or from carrying or transporting firearms to and  
20 from such residence in a manner allowed by law. Any provision of  
21 a lease, policy, rule, or agreement in violation of this section  
22 shall be void and unenforceable.

23 3. No housing authority, authority, or lessor under this  
24 section shall be liable in tort or any other civil action for  
25 damages caused by a lessee's possession or use of a firearm on  
26 property owned by the lessor, unless a housing authority,  
27 authority, or lessor or an officer, agent, or employee of such  
28 housing authority, authority, or lessor:

1           (1) Violated section 571.060 or otherwise caused the  
2 lessee, the household member, or guest to engage in any unsafe or  
3 illegal actions with a firearm; or

4           (2) Engaged in acts or failures to act which were  
5 manifestly outside the scope of employment, duties, or  
6 responsibilities or were committed maliciously, in bad faith, or  
7 in a wanton and reckless manner.

8           590.010. As used in this chapter, the following terms mean:

9           (1) "Commission", when not obviously referring to the POST  
10 commission, means a grant of authority to act as a peace officer;

11           (2) "Director", the director of the Missouri department of  
12 public safety or his or her designated agent or representative;

13           (3) "Peace officer", a law enforcement officer of the state  
14 or any political subdivision of the state with the power of  
15 arrest for a violation of the criminal code or declared or deemed  
16 to be a peace officer by state statute;

17           (4) "POST commission", the peace officer standards and  
18 training commission;

19           (5) "Reserve peace officer", a peace officer who regularly  
20 works less than thirty hours per week;

21           (6) "School protection officer", an elementary or secondary  
22 school teacher or administrator who has been designated as a  
23 school protection officer by a school district.

24           590.200. 1. The POST commission shall:

25           (1) Establish minimum standards for the training of school  
26 protection officers;

27           (2) Set the minimum number of hours of training required  
28 for a school protection officer; and

1           (3) Set the curriculum for school protection officer  
2 training programs.

3           2. At a minimum this training shall include:

4           (1) Instruction specific to the prevention of incidents of  
5 violence in schools;

6           (2) The handling of emergency or violent crisis situations  
7 in school settings;

8           (3) A review of state criminal law;

9           (4) Training involving the use of defensive force;

10          (5) Training involving the use of deadly force; and

11          (6) Instruction in the proper use of self-defense spray  
12 devices.

13           590.205. 1. The POST commission shall establish minimum  
14 standards for school protection officer training instructors,  
15 training centers, and training programs.

16           2. The director shall develop and maintain a list of  
17 approved school protection officer training instructors, training  
18 centers, and training programs. The director shall not place any  
19 instructor, training center, or training program on its approved  
20 list unless such instructor, training center, or training program  
21 meets all of the POST commission requirements under this section  
22 and section 590.200. The director shall make this approved list  
23 available to every school district in the state. The required  
24 training to become a school protection officer shall be provided  
25 by those firearm instructors, private and public, who have  
26 successfully completed a department of public safety POST  
27 certified law enforcement firearms instructor school.

28           3. Each person seeking entrance into a school protection

1 officer training center or training program shall submit a  
2 fingerprint card and authorization for a criminal history  
3 background check to include the records of the Federal Bureau of  
4 Investigation to the training center or training program where  
5 such person is seeking entrance. The training center or training  
6 program shall cause a criminal history background check to be  
7 made and shall cause the resulting report to be forwarded to the  
8 school district where the elementary school teacher or  
9 administrator is seeking to be designated as a school protection  
10 officer.

11 4. No person shall be admitted to a school protection  
12 officer training center or training program unless such person  
13 submits proof to the training center or training program that he  
14 or she has a valid concealed carry endorsement or permit.

15 5. A certificate of school protection officer training  
16 program completion may be issued to any applicant by any approved  
17 school protection officer training instructor. On the certificate  
18 of program completion the approved school protection officer  
19 training instructor shall affirm that the individual receiving  
20 instruction has taken and passed a school protection officer  
21 training program that meets the requirements of this section and  
22 section 590.200 and [that] indicate whether the individual has a  
23 valid concealed carry endorsement or permit. The instructor shall  
24 also provide a copy of such certificate to the director of the  
25 department of public safety.

26 590.207. Notwithstanding any other provision of law to the  
27 contrary, any person designated as a school protection officer  
28 under the provisions of section 160.665 who allows any such

1 firearm out of his or her personal control while that firearm is  
2 on school property as provided under subsection 2 of section  
3 160.665 shall be guilty of a class B misdemeanor and may be  
4 subject to employment termination proceedings within the school  
5 district.

6 590.750. 1. The department of public safety shall have the  
7 sole authority to regulate and license all corporate security  
8 advisors. The authority and jurisdiction of a corporate security  
9 advisor shall be limited only by the geographical limits of the  
10 state, unless the corporate security advisor's license is  
11 recognized by the laws or regulations of another state or the  
12 federal government.

13 2. Acting as a corporate security advisor without a license  
14 from the department of public safety is a class A misdemeanor.

15 3. The director may promulgate rules to implement the  
16 provisions of this section under chapter 536 and section 590.190.

17 4. Any corporate security advisor licensed as of February  
18 1, 2014 shall not be required to apply for a new license from the  
19 department until the advisor's license expires or is otherwise  
20 revoked.

21 650.350. 1. There is hereby created within the department  
22 of public safety the "Missouri Sheriff Methamphetamine Relief  
23 Taskforce" (MoSMART). MoSMART shall be composed of five sitting  
24 sheriffs. Every two years, the Missouri Sheriffs' Association  
25 board of directors will submit twenty names of sitting sheriffs  
26 to the governor. The governor shall appoint five members from  
27 the list of twenty names, having no more than three from any one  
28 political party, to serve a term of two years on MoSMART. The

1 members shall elect a chair from among their membership. Members  
2 shall receive no compensation for the performance of their duties  
3 pursuant to this section, but each member shall be reimbursed  
4 from the MoSMART fund for actual and necessary expenses incurred  
5 in carrying out duties pursuant to this section.

6 2. MoSMART shall meet no less than twice each calendar year  
7 with additional meetings called by the chair upon the request of  
8 at least two members. A majority of the appointed members shall  
9 constitute a quorum.

10 3. A special fund is hereby created in the state treasury  
11 to be known as the "MoSMART Fund". The state treasurer shall  
12 invest the moneys in such fund in the manner authorized by law.  
13 All moneys received for MoSMART from interest, state, and federal  
14 moneys shall be deposited to the credit of the fund. The  
15 director of the department of public safety shall distribute at  
16 least fifty percent but not more than one hundred percent of the  
17 fund annually in the form of grants approved by MoSMART.

18 4. Except for money deposited into the deputy sheriff  
19 salary supplementation fund created under section 57.278 or money  
20 deposited into the concealed carry permit fund created under  
21 subsection 5 of this section, all moneys [appropriate]  
22 appropriated to or received by MoSMART shall be deposited and  
23 credited to the MoSMART fund. The department of public safety  
24 shall only be reimbursed for actual and necessary expenses for  
25 the administration of MoSMART, which shall be no less than one  
26 percent and which shall not exceed two percent of all moneys  
27 appropriated to the fund, except that the department shall not  
28 receive any amount of the money deposited into the deputy sheriff

1 salary supplementation fund for administrative purposes. The  
2 provisions of section 33.080 to the contrary notwithstanding,  
3 moneys in the MoSMART fund shall not lapse to general revenue at  
4 the end of the biennium.

5 5. A special fund is hereby created in the state treasury  
6 to be known as the "Concealed Carry Permit Fund". The state  
7 treasurer shall invest the moneys in such fund in the manner  
8 authorized by law. All moneys appropriated by the general  
9 assembly to the fund shall be deposited to the credit of the  
10 fund. The director of the department of public safety shall  
11 annually distribute all moneys in the fund in the form of grants  
12 approved by MoSMART. The department of public safety shall  
13 administer all MoSMART grant deposits under this section. Grant  
14 funds deposited into the fund created under this section shall be  
15 spent first to ensure county law enforcement agencies' ability to  
16 comply with the issuance of concealed carry permits including,  
17 but not limited to, equipment, records management hardware and  
18 software, personnel, supplies, and other services. MoSMART shall  
19 provide grants as authorized by the general assembly to sheriffs,  
20 and any designee that is created and authorized to support  
21 sheriffs in the creation, maintenance, and operation of a  
22 statewide concealed carry permit system for Missouri sheriffs and  
23 law enforcement purposes. The concealed carry permit system  
24 shall consist of a server network accessible by all Missouri  
25 sheriffs and law enforcement agencies for purposes that do not  
26 conflict with this chapter. All equipment, software, and  
27 services necessary to create, maintain, and operate the concealed  
28 carry permit system shall be the property of the sheriffs and

1 MoSMART's designee. A designee of MoSMART and the sheriffs may  
2 administer and operate the concealed carry permit system  
3 utilizing policies and procedures established by MoSMART by way  
4 of a memorandum of understanding and MoSMART protocol. Any  
5 equipment, software, or services provided to a sheriff as part of  
6 the concealed carry permit system shall become property of  
7 MoSMART's designee and the sheriff's office and MoSMART shall not  
8 be responsible for the maintenance or replacement of such  
9 equipment, software, or services. Notwithstanding the provisions  
10 of section 33.080 to the contrary, any moneys remaining in the  
11 fund at the end of the biennium shall not revert to the credit of  
12 the general revenue fund. The state treasurer shall invest  
13 moneys in the fund in the same manner as other funds are  
14 invested. Any interest and moneys earned on such investments  
15 shall be credited to the fund.

16 6. Any rule or portion of a rule, as that term is defined  
17 in section 536.010, that is created under the authority delegated  
18 in this section shall become effective only if it complies with  
19 and is subject to all of the provisions of chapter 536 and, if  
20 applicable, section 536.028. This section and chapter 536 are  
21 nonseverable and if any of the powers vested with the general  
22 assembly pursuant to chapter 536 to review, to delay the  
23 effective date or to disapprove and annul a rule are subsequently  
24 held unconstitutional, then the grant of rulemaking authority and  
25 any rule proposed or adopted after August 28, 2003, shall be  
26 invalid and void.

27 7. Any county law enforcement entity or established task  
28 force with a memorandum of understanding and protocol may apply

1 for grants from the MoSMART fund on an application to be  
2 developed by the department of public safety with the approval of  
3 MoSMART. All applications shall be evaluated by MoSMART and  
4 approved or denied based upon the level of funding designated for  
5 methamphetamine enforcement before 1997 and upon current need and  
6 circumstances. No applicant shall receive a MoSMART grant in  
7 excess of one hundred thousand dollars per year. The department  
8 of public safety shall monitor all MoSMART grants.

9 8. MoSMART's anti-methamphetamine funding priorities are as  
10 follows:

11 (1) Sheriffs who are participating in coordinated  
12 multijurisdictional task forces and have their task forces apply  
13 for funding;

14 (2) Sheriffs whose county has been designated HIDTA  
15 counties, yet have received no HIDTA or narcotics assistance  
16 program funding; and

17 (3) Sheriffs without HIDTA designations or task forces,  
18 whose application justifies the need for MoSMART funds to  
19 eliminate methamphetamine labs.

20 9. MoSMART shall administer the deputy sheriff salary  
21 supplementation fund as provided under section 57.278.

22 [10. Beginning August 28, 2013, the department of revenue  
23 shall begin transferring any records related to the issuance of a  
24 concealed carry permit to MoSMART for dissemination to the  
25 sheriff of the county or city not within a county in which the  
26 applicant or permit holder resides.]